

**NOTICE OF FINAL CLASS ACTION SETTLEMENT FOR LATINO/LATINA PERSONS
WHO USE THE ROADS OF SUFFOLK COUNTY
AS A MOTORIST OR PEDESTRIAN**

Plaintiffs #1-21, et al. v. County of Suffolk, et al., U.S. District Court for the Eastern District of New York, Case No. 15-cv-02431-WFK-LB

TO: All Latino or Latina persons who, at any time after January 2012, have been or in the future will be subject to a vehicular or pedestrian stop or detention by an agent of the Suffolk County Police Department in the county of Suffolk (the “Class”).

You are a Class Member if:

1. You identify as a Latina or Latino person; **and**
2. You have been at any time after January 2012 or in the future will be subject to a vehicular or pedestrian stop or detention; **and**
3. The vehicular or pedestrian stop or detention is by an agent of the Suffolk County Police Department (the “SCPD”) in the County of Suffolk.

You do not need to live in Suffolk County to benefit under the Class Action Settlement Agreement.

You are hereby notified that on July 14, 2023 the Honorable William F. Kuntz of the U.S. District Court for the Eastern District of New York approved a settlement of the claims brought on your behalf in this lawsuit.

Background: This class action lawsuit involves claims by Plaintiffs #1-20 as representatives of the Class of all similarly situated Latinos in Suffolk County who are, or will be, at risk of being subject to discriminatory and unconstitutional policing policies, patterns, and practices by the County of Suffolk (the “County”); Suffolk County Police Department (“SCPD”); Edward Webber; Milagros Soto (collectively, the “County Defendants”) in violation of the Fourth, Fifth, and Fourteenth Amendments to the Constitution of the United States, 42 U.S.C. § 1983, Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, and the common law of the state of New York. Before the Court made a final determination in this lawsuit regarding whether the County Defendants’ conduct is lawful or unlawful, Plaintiffs and the County Defendants reached a Class Action Settlement Agreement. The Class Action Settlement Agreement provides for injunctive relief on behalf of the Class, which is memorialized in the Class Action Settlement Agreement described below. Class Members are represented by Milbank LLP and LatinoJustice PRLDEF (collectively, “Class Counsel”).

Description of the Class Action Settlement Agreement: Pursuant to the Class Action Settlement Agreement, the Plaintiffs and County Defendants have agreed to substantive terms modifying and supplementing SCPD policies, procedures and practices. The County Defendants have agreed to the following in the Class Action Settlement Agreement:

1. **Precinct Level Advisory Boards:** Through this agreement, SCPD will establish a Precinct Level Advisory Board (“PLAB”) for each SCPD precinct. The PLABs will focus on

addressing community concerns, fostering new relationships between the SCPD and community leaders, expanding the community engagement reach within each precinct, and providing a clear line of communication between SCPD and the community. Annually, the Commanding Officer will present up-to-date data on the precinct's traffic and pedestrian stop activity. These meetings will be in addition to the public community meetings that already occur.

2. **Implicit Bias Training:** SCPD will work with a qualified third-party provider to establish an Implicit Bias 2.0 Training, which will be an updated version of SCPD's current implicit bias training program. The training will incorporate an analysis of SCPD's traffic stop data which will be completed by an independent third party. All sworn officers will be required to complete the Implicit Bias 2.0 Training.
3. **Traffic Stop Data and Analysis:** County Defendants will create a Public Traffic and Pedestrian Stop Data Dashboard with quarterly publication of its raw data. The raw data sets will include, amongst other data, information related to: (i) where a stop occurred, (ii) the police action taken, and (iii) anonymized license plate data.

SCPD will engage an independent third party to review SCPD's traffic and pedestrian stop data and publish a report on an annual basis. Additionally, SCPD's precinct commanding officers, or their designees, will review traffic stop data quarterly to identify and address atypical patterns of traffic stops and/or enforcement activity.

SCPD will issue an annual public report that includes detailed information related to Internal Affairs Bureau ("IAB") complaints, including: (i) the number of complaints by type of allegation; (ii) case disposition per investigation; (iii) bias policing allegations; (iv) bias policing dispositions; (v) bias policing allegations by race or ethnicity; (vi) bias policing allegations by race or ethnicity per year; (vii) bias policing allegations by precinct/race or ethnicity; and (viii) the time it takes to complete investigations.

4. **Traffic and Pedestrian Stop Training:** SCPD will ensure that its officers receive the appropriate training related to the SCPD policies regarding: (i) searches based solely on consent, (ii) permissible questions during traffic stops, (iii) search and seizure law and the four levels of suspicion; and (iv) adequate recording of necessary stop data, such as the primary reason for a stop. Moreover, officers will be instructed to provide only a warning when encountering a minor vehicle equipment violation, unless there are additional facts or circumstances justifying a ticket for the equipment violation offense. Furthermore, where no action is taken during a stop, officers will be instructed to provide a business card in both English and Spanish that includes their information and the IAB and the Human Rights Commission ("HRC") contact information. The contact information for both the IAB and HRC will also be prominently displayed on the SCPD website.
5. **Language Access:** SCPD will implement additional procedures to improve language accessibility and ensure alignment with the goals and spirit of SCPD Policy 333. Specifically, SCPD will include links on its website to tools that translate webpages into Spanish. The Spanish version of the website will include links to Spanish versions of documents and forms. Moreover, SCPD will provide language assistance services in

accordance with the procedures contained in SCPD Policy 333 and will make residents aware that such services are available to them free of charge. SCPD will post Language Access statistics on its website on a quarterly basis.

County Defendants will also hire a certified Spanish Speaking Police Operations Aide (referred to in the Reform Plan as “Community Policing Aids”) to provide language assistance at the front desk of the Third Precinct, other than for the overnight shift. Furthermore, County Defendants agree to use best efforts to recruit and hire certified Spanish Speaking Police Operations Aides for open positions, other than the overnight shift, for the front desks of the First, Second, and Fifth Precincts.

6. **Civilian Oversight Review Process:** County Defendants will ensure the implementation by the HRC of a civilian oversight review process, which is responsible for the following: (i) providing an additional mechanism for in-person and online means by which the public may file complaints of officer misconduct; (ii) reviewing in tandem IAB investigations of police misconduct complaints being investigated by the IAB and over which the HRC has jurisdiction pursuant to its powers and duties under Suffolk County Code Section 119-3; (iii) accessing the Department’s shared data portal to monitor the status of open complaints; and (iv) offering recommendations on additional steps to be taken by the IAB as part of a particular police misconduct investigation. The HRC will issue an annual report summarizing its review activities, observations and recommendations.
7. **Body-Worn Camera Policy:** SCPD will comply with its Body-Worn Camera Policy 422 and Body-Worn Camera Procedure 422, and will deploy the use of body-worn cameras as standard police worn equipment for all authorized officers who regularly engage with the public in the course of their professional duties.
8. **U-Visa Matters:** The Commanding Officer of SCPD’s Hate Crimes Bureau (or his/her designee) will be designated as the contact person for all U-Visa matters, using appropriate language access resources, conducting outreach to crime victims, providing information regarding U-Visas, and responding to inquiries.

For Further Information: The above description is only a summary of the Class Action Settlement Agreement. You should read the entire Class Action Settlement Agreement to understand it fully. Copies of the Class Action Settlement Agreement may be obtained: (1) from Class Counsels’ website <https://www.milbank.com/en/plaintiffs1-21.html>; (2) by contacting Class Counsel at info@latinojustice.org or 212-219-3360; (3) by accessing the Court docket in this case, for a fee, at <https://ecf.nyed.uscourts.gov>; or (4) by visiting the Clerk of Court for the U.S. District Court for the Eastern District of New York, business days from 8:30 a.m. to 5:00 p.m.